

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00054-MR-DLH**

**CAROLYN M. YOUNG AND SARA
WORKMAN, both Individually and as
co-Executors of the Estate of
FRANK VERNON MILLER, Deceased,**

Plaintiffs,

vs.

AGCO CORPORATION, et al.,

Defendants.

ORDER

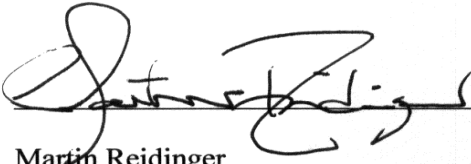
THIS MATTER is before the Court on Defendant The H.B. Smith Company Incorporated's Motion for Summary Judgment [Doc. 210] and the parties' Joint Motion to Dismiss Defendant The H.B. Smith Company, Incorporated with Prejudice [Doc. 232].

Upon review of the parties' motions,

IT IS, THEREFORE ORDERED that the parties' Joint Motion to Dismiss [Doc. 232] is **GRANTED**, and the Plaintiffs' claims against Defendant The H.B. Smith Company, Incorporated are hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Defendant The H.B. Smith Company Incorporated's Motion for Summary Judgment [Doc. 210] is **DENIED AS MOOT.**

IT IS SO ORDERED.


Martin Reidinger
United States District Judge

